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United Nations conference to negotiate a legally binding instrument to prohibit nuclear weapons, leading towards their total elimination

New York, 27 to 31 March and 15 June to 7 July 2017

Agenda item 4

Adoption of the rules of procedure

Provisional rules of procedure of the United Nations conference to negotiate a legally binding instrument to prohibit nuclear weapons, leading towards their total elimination

I. Representation and credentials

Rule 1
Composition of delegations

The delegation of each Member State of the United Nations participating in the Conference shall consist of a head of delegation and such other representatives, alternate representatives and advisers as may be required.

Rule 2
Alternates and advisers

The head of delegation may designate an alternate representative or an adviser to act as a representative.

Rule 3
Submission of credentials

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General of the Conference, if possible not less than one week before the date fixed for the opening of the Conference. The credentials shall be issued either by the Head of State or Government or by the Minister for Foreign Affairs.

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Rule 4
Credentials Committee

A Credentials Committee of five members shall be appointed at the beginning of the Conference. It shall examine the credentials of representatives and report to the Conference without delay.

Rule 5
Provisional participation in the Conference

Pending a decision of the Conference on their credentials, representatives shall be entitled to participate provisionally in the Conference.

II. Officers

Rule 6
Elections

The Conference shall elect from among the representatives of Member States participating in the Conference the following officers: a President and nine Vice-Presidents. These officers shall be elected with due regard to equitable geographical representation. The Conference may also elect such other officers as it deems necessary for the performance of its functions.

Rule 7
General powers of the President

1. In addition to exercising the powers conferred upon him/her elsewhere by these rules, the President shall preside at the plenary meetings of the Conference, declare the opening and closing of each meeting, put questions to the vote and announce decisions. The President shall rule on points of order and, subject to these rules, shall have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times each representative may speak on a question, the adjournment or closure of the debate and the suspension or the adjournment of a meeting.

2. The President, in the exercise of his/her functions, remains under the authority of the Conference.

Rule 8
Acting President

1. If the President is absent from a meeting or any part thereof, he/she shall designate one of the Vice-Presidents to take his/her place.

2. A Vice-President acting as President shall have the same powers and duties as the President.

Rule 9
Replacement of the President

If the President is unable to perform his/her functions, a new President shall be elected.

Rule 10
Voting rights of the President

The President, or a Vice-President acting as President, shall not vote in the Conference, but may appoint another member of his/her delegation to vote in his/her place.

III. Bureau

Rule 11
Composition

The President and the Vice-Presidents shall constitute the Bureau. The President, or, in his/her absence, one of the Vice-Presidents designated by him/her, shall serve as Chair of the Bureau. The Chair of the Credentials Committee and of any other committees established by the Conference in accordance with rule 46 may participate, without the right to vote, in the Bureau.

Rule 12
Substitute members

If the President or a Vice-President of the Conference is to be absent during a meeting of the Bureau, he/she may designate a member of his/her delegation to sit and vote in the Bureau.

Rule 13
Functions

In addition to performing other functions specified in these rules, the Bureau shall assist the President in the general conduct of the business of the Conference and, subject to the decisions of the Conference, shall ensure the coordination of its work.

IV. Secretariat of the Conference

Rule 14
Secretary-General of the Conference

1. There shall be a Secretary-General of the Conference.

2. The Secretary-General of the Conference shall act in that capacity in all meetings of the Conference and its subsidiary organs and shall be responsible for making all the necessary arrangements for carrying out the work of the Conference.

3. The Secretary-General of the Conference may designate a member of the secretariat to act in his/her place at such meetings.

4. The Secretary-General of the Conference shall direct the staff required by the Conference.

Rule 15
Duties of the secretariat

The secretariat of the Conference shall, in accordance with these rules:

(a) Interpret speeches made at meetings;

(b) Receive, translate, reproduce and circulate the documents of the Conference;

(c) Publish and circulate the official documents and any reports of the Conference;

(d) Prepare and circulate records of public meetings;

(e) Make and arrange for the keeping of sound recordings of meetings;

(f) Arrange for the custody and preservation of the documents of the Conference in the archives of the United Nations;

(g) Generally perform all other work that the Conference may require;

(h) Report the proceedings of the Conference in appropriate journals.

Rule 16
Statements by the secretariat

The Secretary-General of the United Nations, the Secretary-General of the Conference, or any member of the secretariat designated by either of them for that purpose, may, at any time make either oral or written statements concerning any question under consideration.

V. Opening of the Conference

Rule 17
Temporary President

The Secretary-General of the United Nations, the Secretary-General of the Conference or, in his/her absence, a member of the Secretariat of the United Nations designated by him/her for that purpose, shall open the first meeting of the Conference and preside over it until the Conference has elected its President.

Rule 18
Decisions concerning organization

The Conference shall, to the extent possible, at its first meeting:

(a) Adopt its rules of procedure;

(b) Elect its officers;

(c) Adopt its agenda, the draft of which shall, until such adoption, be the provisional agenda of the Conference;

(d) Decide on the organization of its work.

VI. Conduct of business

Rule 19
Quorum

The President may declare a meeting open and permit the debate to proceed when at least one third of the Member States participating in the Conference are present. The presence of a majority of the Member States so participating shall be required for any decision to be taken.

Rule 20
Speeches

1. No representative may address the Conference without having previously obtained the permission of the President. Subject to rules 21, 22 and 25 to 27, the President shall call upon speakers in the order in which they signify their desire to speak. The secretariat shall be in charge of drawing up a list of speakers.

2. Debate shall be confined to the question before the Conference and the President may call a speaker to order if his/her remarks are not relevant to the subject under discussion.

3. The Conference may limit the time allowed to each speaker and the number of times each participant may speak on any question. Permission to speak on a motion to set such limits shall be accorded to only two representatives in favour of and two opposing such limits, after which the motion shall be immediately put to the vote. In any event, with the consent of the Conference, the President shall limit each intervention on procedural matters to five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call him/her to order without delay.

Rule 21
Points of order

During the discussion of any matter, a representative may at any time raise a point of order, which shall be immediately decided by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Rule 22
Precedence

The Chair, Vice-Chairs or a representative designated by any subsidiary organ, such as a subcommittee or working group, may be accorded precedence for the purpose of explaining the conclusions arrived at by the organ concerned.

Rule 23
Closing of the list of speakers

During the course of a debate, the President may announce the list of speakers and, with the consent of the Conference, declare the list closed. When the debate on an item is concluded because there are no more speakers, the President shall declare the debate closed. Such closure shall have the same effect as closure of the debate pursuant to rule 26.

Rule 24
Right of reply

1. Notwithstanding rule 23, the President shall accord the right of reply to a representative of any State participating in the Conference who requests it.

2. The statements made under this rule shall normally be made at the end of the last meeting of the day, or at the conclusion of the consideration of the relevant item if that is sooner.

3. The representatives of a State may make no more than two statements under this rule at a given meeting on any item. The first shall be limited to five minutes and the second to three minutes. Representatives shall in any event attempt to be as brief as possible.

Rule 25
Adjournment of debate

A representative may at any time move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, permission to speak on the motion shall be accorded to only two representatives in favour and to two opposing the adjournment, after which the motion shall, subject to rule 28, be immediately put to the vote.

Rule 26
Closure of debate

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his/her wish to speak. Permission to speak on the motion shall be accorded to only two representatives opposing the closure, after which the motion shall, subject to rule 28, be immediately put to the vote.

Rule 27
Suspension or adjournment of the meeting

Subject to rule 39, a representative may at any time move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted and they shall, subject to rule 28, be immediately put to the vote.

Rule 28
Order of motions

The motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

(a) To suspend the meeting;

(b) To adjourn the meeting;

(c) To adjourn the debate on the question under discussion;

(d) To close the debate on the question under discussion.

Rule 29
Submission of proposals and substantive amendments

Proposals and substantive amendments shall normally be submitted in writing to the Secretary-General of the Conference, who shall circulate copies to all delegations. Unless the Conference decides otherwise, no substantive proposal shall be considered unless copies have been circulated in all languages of the Conference to all delegations at least 24 hours before the meeting. The President may, however, permit the discussion of amendments, even when such amendments have not been circulated or have been circulated only on the same day.

Rule 30
Withdrawal of proposals and motions

A proposal or a motion may be withdrawn by its sponsor at any time before a decision on it has been taken, provided that it has not been amended. A proposal or a motion thus withdrawn may be reintroduced by any representative.

Rule 31
Decisions on competence

Subject to rule 28, any motion calling for a decision on the competence of the Conference to discuss any matter or to adopt a proposal submitted to it shall be decided before the matter is discussed or a decision is taken on the proposal in question.

Rule 32
Reconsideration of proposals

When a proposal has been adopted or rejected, it may not be reconsidered unless the Conference, by a two-thirds majority of the representatives present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded to only two speakers opposing reconsideration, after which the motion shall be immediately put to the vote.

VII. Decision-making

Rule 33
Consensus

The Conference shall make its best endeavours to ensure that the work of the Conference is accomplished by consensus.

Rule 34
Voting rights

Each Member State participating in the Conference shall have one vote.

Rule 35
Majority required

1. Subject to rule 33, if the President of the Conference determines that all efforts to reach consensus have been exhausted, the decisions of the Conference on all matters of substance shall be taken by a two-thirds majority of the Member States present and voting.

2. Except as otherwise provided in these rules, if the President of the Conference determines that all efforts to reach consensus have been exhausted, the decisions on all matters of procedure shall be taken by a majority of the Member States present and voting.

3. If the question arises as to whether a matter is one of procedure or of substance, the President of the Conference shall rule on the question. An appeal against this ruling shall be put to the vote immediately and the President's ruling shall stand unless overruled by a majority of the Member States present and voting.

4. If a vote is equally divided, the proposal or motion shall be regarded as rejected.

Rule 36
Meaning of the phrase "Member States present and voting"

For the purpose of these rules, the phrase "Member States present and voting" means Member States casting an affirmative or negative vote. Member States which abstain from voting shall be regarded as not voting.

Rule 37
Method of voting

1. Except as provided in rule 44, the Conference shall normally vote by show of hands, except that a representative may request a roll call, which shall then be taken in the English alphabetical order of the names of the Member States participating in the Conference, beginning with the delegation whose name is drawn by lot by the President. The name of each Member State shall be called in all roll calls, and its representative shall reply "yes", "no" or "abstention".

2. When the Conference votes by mechanical means, a non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll call. A

representative may request a recorded vote, which shall, unless a representative requests otherwise, be taken without calling out the names of the Member States participating in the Conference.

3. The vote of each Member State participating in a roll call or a recorded vote shall be inserted in any record of or report on the Conference.

Rule 38
Conduct during voting

After the President has announced the commencement of voting, no representative shall interrupt the voting except on a point of order in connection with the process of voting.

Rule 39
Explanation of vote

1. Representatives may make brief statements consisting solely of explanations of vote, before the voting has commenced or after the voting has been completed. The President may limit the time to be allowed for such explanations. The representative of a State sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended.

2. When the same matter is considered successively in several organs of the Conference, the representatives of a State should, as far as possible, explain the votes of their delegation in only one such organ, unless those votes differ.

3. Similarly, explanatory statements of position may be made in connection with a decision taken without a vote.

Rule 40
Division of proposals

A representative may move that parts of a proposal be decided on separately. If a representative objects, the motion for division shall be voted upon. Permission to speak on the motion shall be accorded to only two representatives in favour of and two opposing the division. If the motion is carried, those parts of the proposal that are subsequently approved shall be put to the Conference for decision as a whole. If all operative parts of the proposal have been rejected, the proposal shall be considered to have been rejected as a whole.

Rule 41
Amendments

A proposal is considered an amendment to another proposal if it merely adds to, deletes from or revises part of that proposal. Unless specified otherwise, the word "proposal" in these rules shall be considered as including amendments.

Rule 42
Order of voting on amendments

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Conference shall vote first on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon.

Rule 43
Order of voting on proposals

1. If two or more proposals, other than amendments, relate to the same question, they shall, unless the Conference decides otherwise, be voted on in the order in which they were submitted. The Conference may, after each vote on a proposal, decide whether to vote on the next proposal.

2. Revised proposals shall be voted on in the order in which the original proposals were submitted, unless the revision substantially departs from the original proposal. In that case the original proposal shall be considered as withdrawn and the revised proposal shall be treated as a new proposal.

3. A motion requiring that no decision be taken on a proposal shall be put to the vote before a decision is taken on the proposal in question in accordance with rules 33 and 35.

Rule 44
Elections

All elections shall be held by secret ballot unless, in the absence of any objection, the Conference decides to proceed without taking a ballot when there is an agreed candidate or slate of candidates.

Rule 45
Balloting

1. When one or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot a majority of the votes cast and the largest number of votes, shall be elected.

2. If the number of candidates so elected is less than the number of places to be filled, additional ballots shall be held to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot, in a number not more than twice the places remaining to be filled.

VIII. Subsidiary organs

Rule 46
Committees and working groups

1. The Conference may establish committees and working groups as it deems necessary for the performance of its functions.

2. Subject to the decisions of the Conference, each committee may set up subcommittees and working groups.

Rule 47
Representation to committees, subcommittees and working groups

1. The members of the committees and working groups of the Conference referred to in rule 46, paragraph 1, shall be appointed by the President, subject to the approval of the Conference, unless the Conference decides otherwise.

2. Members of the subcommittees and working groups of committees shall be appointed by the Chair of the committee in question, subject to the approval of that committee, unless the committee decides otherwise.

Rule 48
Officers

Each committee, subcommittee and working group shall elect its own officers, with due regard to equitable geographical distribution.

Rule 49
Quorum

A majority of the members of the Bureau or the Credentials Committee or of any committee, subcommittee or working group shall constitute a quorum.

Rule 50
Officers, conduct of business and voting

The rules contained in chapters II, VI (except rule 19) and VII above shall be applicable, mutatis mutandis, to the proceedings of committees, subcommittees and working groups, except that the Chairs of the Bureau and Credentials Committee and the Chairs of the committees, subcommittees and working groups may exercise the right to vote.

IX. Languages and records

Rule 51
Languages of the Conference

Arabic, Chinese, English, French, Russian and Spanish shall be the languages of the Conference.

Rule 52
Interpretation

1. Speeches made in a language of the Conference shall be interpreted into the other such languages.

2. A representative may speak in a language other than a language of the Conference if the delegation concerned provides for interpretation into one such language. Interpretation into the other languages of the Conference by interpreters of the Secretariat may be based on the interpretation given in the first such language.

Rule 53
Languages of official documents

Official documents of the Conference shall be made available in the languages of the Conference.

Rule 54
Sound recordings of meetings

Sound recordings of meetings of the Conference and its committees shall be made and kept in accordance with the practice of the United Nations. Unless otherwise decided by the Conference or the committee concerned, no such recordings shall be made of the meetings of any working group thereof.

X. Public and private meetings

Rule 55
General principles

1. The plenary meetings of the Conference and its committees shall be held in public unless the body concerned decides otherwise. All decisions taken by the plenary of the Conference at a private meeting shall be announced at an early public meeting of the plenary.

2. As a general rule, meetings of other organs of the Conference shall be held in private.

XI. Other participants and observers

Rule 56
Non-member States

Non-member States of the United Nations may participate as observers, without the right to vote, in the deliberations of the Conference and, as appropriate, any committee or working group.

Rule 57
Intergovernmental organizations and other entities that have received a standing invitation from the General Assembly

Intergovernmental organizations and other entities that have received a standing invitation from the General Assembly to participate in the sessions and work of all international conferences convened under its auspices have the right to participate as observers, without the right to vote, in the deliberations of the Conference and, as appropriate, any committee or working group.

Rule 58
Specialized agencies and related organizations[1]

Specialized agencies and related organization may participate as observers, without the right to vote, in the deliberations of the Conference and, as appropriate, any committee or working group on questions within the scope of their activities.

Rule 59
Other intergovernmental organizations

Other intergovernmental organizations invited to the Conference may participate as observers, without the right to vote, in the deliberations of the Conference and, as appropriate, any committee or working group on questions within the scope of their activities.

Rule 60
United Nations organs

Interested organs of the United Nations may participate as observers, without the right to vote, in the deliberations of the Conference and, as appropriate, any committee or working group on questions within the scope of their activities.

Rule 61
Non-governmental organizations

1. With respect to non-governmental organizations participating at the Conference, participation in the public meetings of the Conference, without the right to vote, will be open to:

(a) Relevant non-governmental organizations in consultative status with the Economic and Social Council in accordance with the provisions of Council resolution 1996/31 of 25 July 1996. Such non-governmental organizations should inform the President of the Conference of their interest in participating;

(b) Other interested non-governmental organizations relevant and competent to the scope and the purpose of the Conference, provided that requests to participate are submitted to the President of the Conference and are accompanied by

[1] For the purpose of these rules, the term "related organizations" includes the International Atomic Energy Agency, the International Criminal Court, the International Organization for Migration, the International Seabed Authority, the International Tribunal for the Law of the Sea, the Organization for the Prohibition of Chemical Weapons, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the World Trade Organization.

information on the organization's purpose, programmes and activities in areas relevant to the scope of the Conference. The President of the Conference will draw up a list of such non-governmental organizations on a non-objection basis.[2]

2. Accredited non-governmental organizations will be provided, upon request, with documents related to the Conference, and they may submit material in writing, which shall be circulated in its original language.

Rule 62
Written statements

Written statements submitted by the designated representatives referred to in rules 56 to 61 shall be distributed by the secretariat to all delegations in the quantities and in the language in which the statements are made available to it at the site of the Conference, provided that a statement submitted on behalf of a non-governmental organization is related to the work of the Conference and is on a subject in which the organization has a special competence. Written statements shall not be made available at the expense of the United Nations and shall not be issued as official documents.

XII. Amendment or suspension of the rules of procedure

Rule 63
Method of suspension

Any of these rules may be suspended by the Conference provided that 24 hours' notice of the proposal for the suspension has been given, which may be waived if no representative objects. Any such suspension shall be limited to a specific and stated purpose and to a period required to achieve that purpose.

Rule 64
Method of amendment

These rules of procedure may be amended by a decision of the Conference taken by a two-thirds majority of the Member States participating at the Conference present and voting, after the Bureau has reported on the proposed amendment.

[2] Where there is an objection to a non-governmental organization , the objecting Member State participating in the Conference will, on a voluntary basis, make known to the Secretary-General of the Conference the general basis of its objections and the Secretary-General will share any information received with all Member States participating in the Conference.